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Attorneys for Plaintiff
Intel Corporation

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

INTEL CORPORATION, a Delaware
corporation,

Plaintiff,

v.

INTELLINITIATIVE, INC., a Delaware
corporation,

Defendant.

Case No. CV 08 2129 HRL

**STIPULATED PERMANENT INJUNCTION;
[PROPOSED] ORDER**

The Parties hereto have reached a negotiated settlement of all claims which includes the entry of the following injunction against Defendant Intellinitiative, Inc. ("Intellinitiative"):

WHEREAS, Plaintiff Intel Corporation ("Intel") filed this action against Intellinitiative on April 24, 2008, asserting claims of Federal Trademark Infringement, Federal Trademark Dilution, Federal False Designation of Origin, California Trademark Infringement, California Trademark Dilution, California Statutory Unfair Competition, and California Common Law Passing Off and Unfair Competition; and

WHEREAS, the Parties have settled their dispute and respectfully ask that the Court enter this injunction.

1 **Accordingly, ORDERED, ADJUDGED, and DECREED as follows:**

- 2 1. As of February 28, 2009, Intellinitiative and its officers, agents, servants, employees,
3 owners and representatives, and all other persons, firms or corporations in active concert
4 or participation with it, are permanently enjoined and restrained from using in any manner
5 the INTEL mark, or any name, mark or domain name that wholly incorporates the INTEL
6 mark or is confusingly similar to or a colorable imitation of this mark, including, without
7 limitation, the Intellinitiative, Inc. trade name, the INTELLINITIATIVE trademark, and
8 the domain names intellinitiative.com, intellinitiative.net, and intellinitiative.biz.
- 9 2. As of February 28, 2009, Intellinitiative and its officers, agents, servants, employees,
10 owners and representatives, and all other persons, firms or corporations in active concert
11 or participation with it, are permanently enjoined and restrained from doing any act or
12 thing calculated or likely to cause confusion or mistake in the minds of members of the
13 public, or prospective customers of Intel's products or services, as to the source of
14 products or services offered for sale, distributed, or sold, or likely to deceive members of
15 the public, or prospective customers, into believing that there is some connection between
16 Intellinitiative and Intel.
- 17 3. As of February 28, 2009, Intellinitiative and its officers, agents, servants, employees,
18 owners and representatives, and all other persons, firms or corporations in active concert
19 or participation with it, are permanently enjoined and restrained from committing any acts
20 which will tarnish, blur, or dilute, or are likely to tarnish, blur, or dilute, the distinctive
21 quality of the famous INTEL mark.
- 22 4. No later than February 28, 2009, Intellinitiative shall take all steps necessary to remove
23 the name "Intellinitiative," and any other of its business names that contain "Intel," from
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1 the records of the States of Delaware and Massachusetts, and any other states in which
2 Intellinitiative is incorporated or qualified to do business.

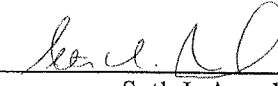
3 5. No later than May 26, 2008, Intellinitiative shall formally abandon its application under
4 Serial No. 76661833 to register the mark INTELLINITIATIVE in the United States Patent
5 and Trademark Office.

6
7 6. No later than February 28, 2009, Intellinitiative shall remove all content from the websites
8 www.intellinitiative.com, www.intellinitiative.net, and www.intellinitiative.biz, and shall
9 let the domain registrations lapse when they are set to expire on February 16, 2013, May
10 2, 2012, and May 1, 2012, respectively.

11
12 Dated: May 30, 2008

Respectfully submitted,

13 HARVEY SISKIND LLP

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15 By: 
Seth I. Appel

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17 Attorneys for Plaintiff
INTEL CORPORATION

18 PAUL W. SIEGERT, ESQ.

19 
20 Attorney for Defendant
21 INTELLINITIATIVE, INC.

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23
24 IT IS SO ORDERED this ____ day of _____, 2008.

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27 _____
The Honorable Howard R. Lloyd
United States Magistrate Judge
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PROOF OF SERVICE

The undersigned declares: I am a resident of the United States and am employed in the City and County of San Francisco, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 4 Embarcadero Center, 39th Floor, San Francisco, CA 94111.

On the date stated below, I served the following documents:

• **STIPULATED PERMANENT INJUNCTION; [PROPOSED] ORDER**

by placing a true copy thereof enclosed in a sealed envelope and served in the manner described below to the interested parties herein and addressed to:

Paul W. Siegert, Esq.
15 East 32nd Street, 3rd Floor
New York, NY 10016

 X **MAIL:** I caused such envelope(s) to be deposited in the mail at my business address, with postage thereon fully prepaid, addressed to the addressee(s) designated. I am readily familiar with the business practice of collecting and processing correspondence to be deposited with the United States Postal Service on that same day in the ordinary course of business.

 FEDERAL EXPRESS – OVERNIGHT DELIVERY: I caused such envelope to be deposited with the Federal Express Office prior to the cut-off time for next day delivery with a shipping label properly filled out with delivery to be made to the addressee designated.

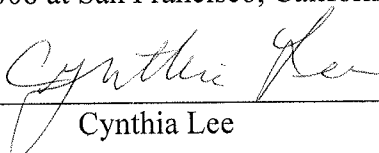
 HAND DELIVERY: I caused such envelope(s) to be delivered by hand to the addressee(s) designated.

 VIA FAX: The facsimile machine I used complied with California Rules of Court, Rule 2003, and no error was reported by the machine. Pursuant to California Rules of Court, Rule 2006(d), I caused the machine to print a transmission record of the transmission, a copy of which is attached to this declaration.

 X **(FEDERAL):** I declare that I am employed by the office of a member of the bar of this court at whose direction the service was made.

 (STATE): I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 30, 2008 at San Francisco, California.


Cynthia Lee